

Nuclear Regulatory Commission

Pt. 25, App. A

cause the visit request to be canceled before its normal termination date.

(e) The responsibility for determining need-to-know in connection with a classified visit rests with the individual who will disclose classified information during the visit. The licensee, certificate holder or other facility shall establish procedures to ensure positive identification of visitors before the disclosure of any classified information.

[62 FR 17689, Apr. 11, 1997, as amended at 64 FR 15649, Apr. 1, 1999; 72 FR 49488, Aug. 28, 2007]

VIOLATIONS

§ 25.37 Violations.

(a) An injunction or other court order may be obtained to prohibit a violation of any provision of:

(1) The Atomic Energy Act of 1954, as amended;

(2) Title II of the Energy Reorganization Act of 1974, as amended; or

(3) Any regulation or order issued under these Acts.

(b) National Security Information is protected under the requirements and sanctions of Executive Order 12958, as amended.

[48 FR 24320, June 1, 1983, as amended at 57 FR 55072, Nov. 24, 1992; 64 FR 15649, Apr. 1, 1999; 70 FR 32227, June 2, 2005]

§ 25.39 Criminal penalties.

(a) Section 223 of the Atomic Energy Act of 1954, as amended, provides for criminal sanctions for willful violation of, attempted violation of, or conspiracy to violate, any regulation issued under sections 161b, 161i, or 161o of the Act. For purposes of section 223, all the regulations in part 25 are issued under one or more of sections 161b, 161i, or 161o, except for the sections listed in paragraph (b) of this section.

(b) The regulations in part 25 that are not issued under sections 161b, 161i, or 161o for the purposes of section 223 are as follows: §§ 25.1, 25.3, 25.5, 25.7, 25.8, 25.9, 25.11, 25.19, 25.25, 25.27, 25.29, 25.31, 25.37, and 25.39.

[57 FR 55072, Nov. 24, 1992]

APPENDIX A TO PART 25—FEES FOR NRC ACCESS AUTHORIZATION

The NRC application fee for an access authorization of type * * *	Is the sum of the current OPM billing rate charged for an investigation of type * * *	Plus the NRC's processing fee (rounded to the nearest dollar), which is equal to the OPM billing rate for the type of investigation referenced multiplied by * * * (percent)
Initial "L" access authorization ¹	ANACI—Access National Agency Check with Inquiries (Standard Service, Code B).	31.7
Initial "L" access authorization ¹ expedited processing.	ANACI—Access National Agency Check with Inquiries (Expedite Handling, Code A).	31.7
Reinstatement of "L" access authorization ²	No fee assessed for most applications.	
Renewal of access authorization ¹	NACLC—Access National Agency Check with Inquiries (Standard Service, Code B).	31.7
Initial "Q" access authorization	SSBI—Single Scope Background Investigation (120 Day Service, Code C).	31.7
Initial "Q" access authorization (expedited processing).	SSBI—Single Scope Background Investigation (35 Day Service, Code A).	31.7
Reinstatement of "Q" access authorization ²	No fee assessed for most applications.	
Renewal of "Q" access authorization ¹	SSBI—PR—Single Scope Background Investigation (120 Day Service, Code C).	31.7

¹ If the NRC determines, based on its review of available data, that a single scope investigation is necessary, the appropriate fee for an Initial "Q" access authorization will be assessed before the conduct of investigation.

² Full fee will only be charged if an investigation is required.

[72 FR 27412, May 16, 2007]

PART 26—FITNESS FOR DUTY PROGRAMS

Subpart A—Administrative Provisions

- Sec.
- 26.1 Purpose.
- 26.3 Scope.
- 26.4 FFD program applicability to categories of individuals.
- 26.5 Definitions.
- 26.7 Interpretations.
- 26.8 Information collection requirements: OMB approval.
- 26.9 Specific exemptions.
- 26.11 Communications.

Subpart B—Program Elements

- 26.21 Fitness-for-duty program.
- 26.23 Performance objectives.
- 26.25 [Reserved]
- 26.27 Written policy and procedures.
- 26.29 Training.
- 26.31 Drug and alcohol testing.
- 26.33 Behavioral observation.
- 26.35 Employee assistance programs.
- 26.37 Protection of information.
- 26.39 Review process for fitness-for-duty policy violations.
- 26.41 Audits and corrective action.

Subpart C—Granting and Maintaining Authorization

- 26.51 Applicability.
- 26.53 General provisions.
- 26.55 Initial authorization.
- 26.57 Authorization update.
- 26.59 Authorization reinstatement.
- 26.61 Self-disclosure and employment history.
- 26.63 Suitable inquiry.
- 26.65 Pre-access drug and alcohol testing.
- 26.67 Random drug and alcohol testing of individuals who have applied for authorization.
- 26.69 Authorization with potentially disqualifying fitness-for-duty information.
- 26.71 Maintaining authorization.

Subpart D—Management Actions and Sanctions To Be Imposed

- 26.73 Applicability.
- 26.75 Sanctions.
- 26.77 Management actions regarding possible impairment.

Subpart E—Collecting Specimens for Testing

- 26.81 Purpose and applicability.
- 26.83 Specimens to be collected.
- 26.85 Collector qualifications and responsibilities.
- 26.87 Collection sites.

- 26.89 Preparing to collect specimens for testing.
- 26.91 Acceptable devices for conducting initial and confirmatory tests for alcohol and methods of use.
- 26.93 Preparing for alcohol testing.
- 26.95 Conducting an initial test for alcohol using a breath specimen.
- 26.97 Conducting an initial test for alcohol using a specimen of oral fluids.
- 26.99 Determining the need for a confirmatory test for alcohol.
- 26.101 Conducting a confirmatory test for alcohol.
- 26.103 Determining a confirmed positive test result for alcohol.
- 26.105 Preparing for urine collection.
- 26.107 Collecting a urine specimen.
- 26.109 Urine specimen quantity.
- 26.111 Checking the acceptability of the urine specimen.
- 26.113 Splitting the urine specimen.
- 26.115 Collecting a urine specimen under direct observation.
- 26.117 Preparing urine specimens for storage and shipping.
- 26.119 Determining “shy” bladder.

Subpart F—Licensee Testing Facilities

- 26.121 Purpose.
- 26.123 Testing facility capabilities.
- 26.125 Licensee testing facility personnel.
- 26.127 Procedures.
- 26.129 Assuring specimen security, chain of custody, and preservation.
- 26.131 Cutoff levels for validity screening and initial validity tests.
- 26.133 Cutoff levels for drugs and drug metabolites.
- 26.135 Split specimens.
- 26.137 Quality assurance and quality control.
- 26.139 Reporting initial validity and drug test results.

Subpart G—Laboratories Certified by the Department of Health and Human Services

- 26.151 Purpose.
- 26.153 Using certified laboratories for testing urine specimens.
- 26.155 Laboratory personnel.
- 26.157 Procedures.
- 26.159 Assuring specimen security, chain of custody, and preservation.
- 26.161 Cutoff levels for validity testing.
- 26.163 Cutoff levels for drugs and drug metabolites.
- 26.165 Testing split specimens and retesting single specimens.
- 26.167 Quality assurance and quality control.
- 26.168 Blind performance testing.
- 26.169 Reporting results.